

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:** Dogulu et al.**Application No.** 10/586,288**Filed:** July 13, 2006**Confirmation No.** 2429**FILED VIA EFS  
ON DECEMBER 6, 2006****For:** METHOD EVOLVED FOR  
RECOGNITION OF THROMBOPHILIA  
(MERT)**Examiner:** Not yet assigned**Art Unit:** 1653**Attorney Reference No.** 4239-66342-08**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Applicants have received the official Filing Receipt for the application referenced above, a copy of which (with requested correction handwritten thereon) is attached as Exhibit A.

The following error appears on the Filing Receipt:

ITEM IN ERROR	CORRECT INFORMATION
Applicant: <b>Wal-Her</b> Chan, North Potomac, MD	Applicant: <b>Wai-Yee</b> Chan, North Potomac, MD

It is believed that the error was made because of the poor copy quality of the signed Declaration. A copy of the Declaration is attached as Exhibit B. A copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a National Stage Filing Under 35 U.S.C. § 371, which shows the correct spelling of Applicant Wai-Yee Chan's name, is attached as Exhibit C.

Applicant requests that the identified error be corrected and that a new official Filing Receipt be issued.


Please call the undersigned if any further information is required.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 595-5300  
Facsimile: (503) 595-5301

By

  
Sheree Lynn Rybak, Ph.D.  
Registration No. 47,913

cc: Docketing

NIH/SUR/NMS



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/586,288	07/13/2006	1653	1850	4239-66342-08		35	4

CONFIRMATION NO. 2429

36218  
 KLARQUIST SPARKMAN, LLP  
 121 S.W. SALMON STREET  
 SUITE #1600  
 PORTLAND, OR 97204-2988

## FILING RECEIPT



\*OC000000021364119\*

Date Mailed: 11/29/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

- 
- ✓ Cigdem F. Dogulu, Bethesda, MD;
  - ✓ Owen M. Rennert, Potomac, MD;
  - ✓ ~~Wei-Yee Chan~~, North Potomac, MD;

↑ WAI-YEE

Power of Attorney: The patent practitioners associated with Customer Number 36218.

## Domestic Priority data as claimed by applicant

- ✓ This application is a 371 of PCT/US05/01419 01/14/2005
- ✓ which claims benefit of 60/537,463 01/15/2004

## Foreign Applications

If Required, Foreign Filing License Granted: 11/25/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/586,288**

Projected Publication Date: 03/08/2007

Non-Publication Request: No

Early Publication Request: No

COPY

EXHIBIT A: PAGE 1 OF 3

**Title**

✓ Method evolved for recognition of thrombophilia (mert)

**Preliminary Class**

435

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

**COPY**

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**COPY**

**Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)**

*The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box VIII (iv). If this box is not used, this sheet should not be included in the request.*

**Declaration of inventorship (Rules 4.17(iv) and 51bb.1(a)(iv))  
for the purposes of the designation of the United States of America**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/US2005/001419 (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international applications designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

**Prior Applications:**

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Name:** DOGULU, Cigdem F.

**Residence:** Bethesda, Maryland  
(city and either US state, if applicable, or country)

**Mailing Address:** 3 Pooks Hill Road, Apartment #114, Bethesda, Maryland 20814, United States of America

**Citizenship:** Turkey

**Inventor's Signature:**   
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

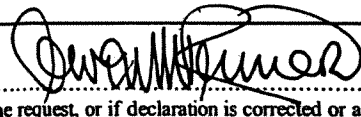
**Date:** 04/09/05  
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

**Name:** RENNERT, Owen M.

**Residence:** Potomac, Maryland  
(city and either US state, if applicable, or country)

**Mailing Address:** 10300 Bells Mill Terrace, Potomac, Maryland 20854, United States of America

**Citizenship:** US

**Inventor's Signature:**   
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

**Date:** 4/7/05  
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

☒ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

**COPY**

Continuation of Box No. VIII (i) to (v) DECLARATION

If the space is insufficient in any of Boxes No. VIII (i) to (v) to furnish all the information, including in the case where more than two inventors are to be named in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.


Continuation of Box No. VIII (iv) DECLARATION: INVENTORSHIP

Name: CHAN, Wei-Yee

Residence: North Potomac, Maryland  
(city and either US state, if applicable, or country)

Mailing Address: 10708 Butterfly Court, North Potomac, Maryland 20878, United States of America

Citizenship: US

Inventor's Signature:   
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: 4/7/05  
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name:

Residence:  
(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature:  
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date:  
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name:

Residence:  
(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature:  
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date:  
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name:

Residence:  
(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature:  
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date:  
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

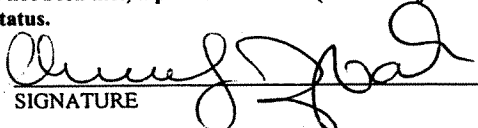
☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

COPY

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A NATIONAL STAGE FILING UNDER 35 U.S.C. § 371		ATTORNEY'S DOCKET NUMBER 4239-66342-08
		U.S. APPLICATION NO. (If known, see 37 C.F.R. § 1.5)
INTERNATIONAL APPLICATION NO. PCT/US2005/001419	INTERNATIONAL FILING DATE 14 January 2005	PRIORITY DATE CLAIMED 15 January 2004
TITLE OF INVENTION METHOD EVOLVED FOR RECOGNITION OF THROMBOPHILIA (MERT)		
APPLICANT(S) FOR DO/EO/US Cigdem F. Dogulu, Owen M. Rennert, and Wai-Yee Chan		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"><li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. § 371.</li><li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. § 371.</li><li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1). Items 5, 6, 9 and 21 indicated below are submitted to make this express request.</li><li>4. <input type="checkbox"/> The United States has been elected in a Demand for International Preliminary Examination (Article 31).</li><li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. § 371(c)(2))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li><li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li></ol></li><li>6. <input type="checkbox"/> An English-language translation of the International Application (35 U.S.C. § 371(c)(2)).<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto.</li><li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li></ol></li><li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau to the United States Receiving Office).</li><li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li></ol></li><li>8. <input type="checkbox"/> An English-language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).</li><li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)).</li><li>10. <input type="checkbox"/> An English-language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).</li></ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"><li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98.</li><li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. §§ 3.28 and 3.31 and the Recordal fee of \$40.00 are included.</li><li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li><li>14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76.</li><li>15. <input type="checkbox"/> A substitute specification.</li><li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li><li>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. §§ 1.821 - 1.825. (Sequence Listing on CD-ROM [IBM PC Compatible; Windows XP; Disk Contents: "seq listing.app"; (54.4 KB/55750 bytes); Date Created: 07/12/2006]; on diskette and a Statement in Compliance.)</li><li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. § 154(d)(4).</li><li>19. <input type="checkbox"/> A second copy of the English-language translation of the international application under 35 U.S.C. § 154(d)(4).</li><li>20. <input checked="" type="checkbox"/> Other items or information:<ol style="list-style-type: none"><li><input checked="" type="checkbox"/> Abstract on a separate page.</li><li><input type="checkbox"/> Written Opinion.</li><li><input type="checkbox"/> Preliminary Examination Report.</li><li><input checked="" type="checkbox"/> International Search Report.</li><li><input checked="" type="checkbox"/> Copies of References Cited.</li></ol></li></ol>		

COPY



U.S. APPLICATION NO. (If known, see 37 C.F.R. § 1.5)		INTERNATIONAL APPLICATION NO. PCT/US2005/001419		ATTORNEY'S DOCKET NUMBER 4239-66342-08	
The following fees are submitted:					
21. <input checked="" type="checkbox"/> Basic national fee (37 C.F.R. 1.492(a)).....\$300				\$	300.00
22. <input checked="" type="checkbox"/> Examination fee (37 C.F.R. 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0 All other situations.....\$200				\$	200.00
23. <input checked="" type="checkbox"/> Search fee (37 C.F.R. 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Articles 33(1)-(4).....\$0 Search fee (37 C.F.R. 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....\$400 All other situations.....\$500				\$	400.00
<b>TOTAL OF 21, 22, and 23 =</b>				<b>\$</b>	<b>900.00</b>
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
89 - 100	0 / 50 =	0	x \$250	\$	0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(e)).				\$	0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	35 - 20 =	15	x \$50.00	\$	750.00
Independent Claims	4 - 3 =	1	x \$200.00	\$	200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$</b>	<b>1,850.00</b>
<input type="checkbox"/> Small entity status is claimed for this application. Fees above are reduced by 1/2.				\$	0.00
<b>SUBTOTAL =</b>				<b>\$</b>	<b>1,850.00</b>
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 C.F.R. §§ 1.492(f)).				\$	0.00
<b>TOTAL NATIONAL FEE =</b>				<b>\$</b>	<b>1,850.00</b>
Fee for recording the enclosed assignment (37 C.F.R. § 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§ 3.28, 3.31). \$40.00 per property.				\$	0.00
<b>TOTAL FEES ENCLOSED =</b>				<b>\$</b>	<b>1,850.00</b>
				Amount to be refunded	\$
				Amount to be charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1,850.00</u> to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. <u>02-4550</u> . A duplicate copy of this sheet is enclosed.					
d. <input checked="" type="checkbox"/> Please return the enclosed postcard to confirm that the items listed above have been received.					
<b>NOTE:</b> Where an appropriate time limit under 37 C.F.R. § 1.494 or § 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO THE ADDRESS ASSOCIATED WITH					
<b>CUSTOMER NUMBER 36218</b>					
KLARQUIST SPARKMAN, LLP One World Trade Center, Suite 1600 121 S.W. Salmon Street Portland, OR 97204-2988					
SIGNATURE  Sheree Lynn Rybak, Ph.D. NAME 47,913 REGISTRATION NUMBER					

cc: Docketing

COPY

EXHIBIT C: PAGE 2 OF 2